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PERSPECTIVES

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LESSONS FROM UNEA-2: ENSURE BROADER, DEEPER ENGAGEMENT IN A FOCUSED UNEA-3

Voices from Civil Society

The second session of the United Nations Environment Assembly (UNEA-2) took place in May 2016, as a true multi-stakeholder event, bringing together an unprecedented number of representatives from governments, civil society, international organisations, the private sector and academia. Following UNEA-2, UN Environment asked a number of UNEA participants - representing Major Groups and Stakeholders - to give us their views on UNEA-2, what went well, what could be improved in the future and what their expectations for UNEA-3 are. Perspectives issue No. 22 presents the responses we received from eight individuals, representing NGOs, women, indigenous peoples and local communities as well as business and industry.

1. Joe DiGangi, International (Persistent Organic Pollutants) Elimination Network (IPEN)

"UNEA's potential will be fully realized when governments and public interest stakeholders become more fully integrated toward achieving its goals. UNEA-3 is an opportunity to advance this objective."

UNEA-2 produced many resolutions, warmly welcomed the private sector with its own highlighted expo, and ended in frustration over a simple request for UN Environment to do its job by conducting a field-based assessment of environmental impacts. At UNEA-3, time will be short and that means the meeting will have to focus. Here are three objectives that UNEA-3 should accomplish:

A UNEP publication series that presents views from Major Groups and Stakeholders of Civil Society or about issues that are relevant for them. PERSPECTIVES is coordinated by UNEP's Major Groups and Stakeholders Branch. The presented views are entirely those of the authors and do not necessarily reflect the views of UNEP.

1. Finalize a policy to ensure meaningful stakeholder engagement

This is one of UNEA-2's most important pieces of unfinished business. Public interest NGOs recognize that UNEA is a forum for governments. However, at Rio+20 governments around the world agreed that UNEA should, *"Ensure the active participation of all relevant stakeholders ... promote transparency and the effective engagement of civil society."* Meaningful stakeholder participation among governments, industry, and public interest organizations already exists in the normal practice of the chemicals conventions and this should be a model for UNEA. Work on this policy should continue during the intercessional period with the full participation of public interest stakeholders and culminate at UNEA-3 with a policy that truly reflects the Rio+20 mandate.

2. Begin a process to develop guidelines for partnerships

'Partnerships' was one of UNEA-2's buzzwords. However, despite all the talk, UNEA currently has no guidelines for developing and conducting partnerships. UNEA desperately needs these guidelines to ensure that partnerships are authentic and not just an empty public relations exercise. Making all partnership memoranda of understanding publically available is vital for transparency and should be a normal part of UN Environment's operating principles. UN Environment's partnerships should not be distorted by unbalanced financial capacity and interests that have the potential to create conflicts of interest. For example, the chemical industry has the resources to fund one of its own members to provide internal support to UN Environment or its agencies thereby exercising influence on the work of the agency. This is not an option for many developing countries or public interest civil society organizations. "Private interest" should not trump "public interest" just because the private sector has more money. Finally, as UN Environment moves forward with partnerships to address the SDGs, the agency should not just scale up 'business-as-usual' partnerships between existing partners, but recognize the innovative value of public interest NGOs and grassroots organizations and develop partnerships and mechanisms to increase their impact.

3. Focus the meeting on key outcomes

UNEA-2 covered a lot of ground but the multitude of resolutions and the complexity of the meeting resulted in rushed contact groups with co-chairs simply deleting contested language proposals in order to deliver finalized text. Since there is even less time at UNEA-3, the meeting will have to prioritize issues. Two urgent issues should get a push from UNEA-3: calls for the elimination of lead paint by 2020 and the progressive ban of highly hazardous pesticides. Both disproportionately impact low and middle-income countries and neither is comprehensively addressed by any of the existing chemicals and wastes conventions. Lead exposure from paint causes permanent brain damage in children and according to World Health Organisation (WHO), 99% of children affected by high exposure to lead live in low- and middle-income countries. Highly hazardous pesticides pollute the environment; pesticide poisoning may be as serious a public health concern as communicable diseases in some developing countries. More than 120 governments have already agreed that these are global emerging issues under the Strategic Approach to International Chemicals Management (SAICM) policy framework that should pave way for a strong consensus message at UNEA-3.



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2. Doug Weir, Toxic Remnants of War Project

The need to strengthen environmental protection in relation to armed conflicts is both an old and new issue. That it was the topic of three draft resolutions ahead of the United Nations Environment Assembly 2nd session (UNEA-2) – from Morocco, Jordan and Ukraine – and one adopted resolution, is testament to the topic's re-emergence since UN Environment documented the weakness of current systems of protection in 2009. Ukraine's resolution, which was adopted after five long months of negotiations¹, contains a reporting provision for the new UN Environment Executive Director Erik Solheim, ensuring that the topic will return at either UNEA-3 or 4. However, the level of interest from States in the topic, both at UNEA and elsewhere, would likely guarantee its appearance in some form at UNEA-3 irrespective of this formal reporting timeline.

This was our first UNEA or GC meeting. Historically, we're more often to be found at the UN's security and disarmament bodies in Geneva and New York, where the status quo is only rarely punctuated by progress. The first of our UNEA newbie observations is connected with this, in that there was a vibrancy that isn't found in the UN's more established bodies – many of which have become ossified by years of stalemate. While the enthusiasm for new resolutions and topics wasn't always backed up by the necessary political engagement, it felt, to us at least, that UNEA has exciting potential if this spark can be protected and nurtured.

The second observation must be on scope. States need to ensure that the resolutions they table add value to the global conversation, rather than simply echoing work elsewhere. Take Ukraine's conflicts text; this is an issue that is not receiving attention elsewhere in the UN system – beyond a strictly legal debate in the UN General Assembly's Sixth Committee for a few days annually for the last couple of years. Therefore the meaningful engagement of States at UNEA was a huge boost for the topic and consideration should be given to how future UNEA meetings can prioritize the promotion of neglected or under-addressed environmental issues.

Linked to this is observation number three. It was pretty apparent at times that UNEA is still a work in progress and that everyone will hopefully take away a great deal of learning from May's meeting. From the seductive ambition of the programme – be it the number of events or resolutions, to the coordination of Major Groups & Stakeholders (MGS) activities, or the political management of predictably difficult topics. Can these issues be ironed out over time? Should UNEA try and do less more effectively? Should less time be devoted to topics where resolutions will do little to influence pre-existing processes elsewhere? Important questions and ensuring that strong and transparent feedback systems are in place will be crucial as the forum develops.

The final newbie observation relates to civil society's access and involvement at UNEA and its relationship with UN Environment. The threat from the proposed changes to the stakeholder engagement policy aside, both access and relations with UN Environment were refreshing compared to our past experiences elsewhere. Clearly there is no room for complacency, for example, further efforts should be made to enshrine permanent access to the drafting groups, and for time to be guaranteed for MGS statements to the Committee of the Whole (COW) or plenary. As it is the voice of civil society that is typically the first casualty of a poorly managed or over-ambitious programme, MGS have a clear interest in ensuring that future UNEAs are as focused and effective as possible.

¹ TRWN (2016) UNEA-2 passes most significant UN resolution on conflict and the environment since 1992: <http://www.trwn.org/unea-2-passes-most-significant-resolution-on-conflict-and-the-environment-since-1992>



Between now and UNEA-3, and as far as the conflicts resolution is concerned, we would like to see UN Environment facilitating the engagement of civil society on this topic and exploring areas of collaboration to ensure its effective implementation². As an emerging issue at UNEA, it could be an important lesson in how future UNEAs could provide a platform for new or under-addressed environmental issues, the kind of topics that would allow UNEA to stay vibrant, add value globally and avoid the lapse into conservatism and inertia that affects more established UN bodies.



***Doug Weir** has researched the toxic legacy of armed conflict and military activities since 2005. As Coordinator of the International Coalition to Ban Uranium Weapons, since 2006 he has worked with states, domestic and regional parliaments, grassroots groups, military unions and NGOs on research and advocacy programmes on depleted uranium weapons, work that bridges environmental protection and humanitarian disarmament. He currently manages the Toxic Remnants of War Project, which was established in 2012 to document the humanitarian cost of wartime environmental pollution. Together with its partners, it seeks to monitor active conflicts for environmentally damaging incidents and research methodologies for improving data collection on environmental risks. The project is a founding member of the Toxic Remnants of War Network, a global coalition of NGOs advocating for a greater standard of environmental and humanitarian protection before, during and after conflict. The Project and Network are deeply engaged with the developing international initiative to strengthen the protection of the environment in relation to armed conflicts - or PERAC. Doug blogs on conflict and the environment for The Ecologist, New Internationalist and other platforms and an eternity ago studied Geology and Journalism at Manchester and Sheffield universities. Doug was delighted when UNEA-2 passed its resolution on the protection of the environment in areas affected by armed conflict but now worries about implementation.*

You can follow the Project and Network on @detoxconflict and @TRWNnetwork or at www.toxicremnantsofwar.info and www.trwn.org.

3. Veera Vehkasalo, United Nations Association of Finland (UNA Finland)

I attended UNEA for the first time at its second session this year, and the support of the Women's Major Group, other Civil Society representatives as well as the UN Environment Secretariat was crucial in making the most out of it. Despite the efforts of the Secretariat so far, there are a few things that, if addressed, would make UNEA more inclusive and participatory.

Considering that UN Environment's first gender and environment assessment, the Global Gender and Environment Outlook, was published at UNEA-2, gender and regional representativeness should be automatically and consistently considered in all the proceedings of UN Environment and UNEA. At UNEA-2 I was surprised to still find many male-dominated panels in the Green Room and in side events. Since slots for these events were difficult to get, allocating them should be facilitated in an open and transparent manner. This could also provide an opportunity to merge some proposals and make them more balanced. Moreover, during the assembly there were practical arrangements that prevented the full participation of some – from limited seating, lack of accessibility of the meeting facilities for people with disabilities, to lack of translation during the Major Group meetings that would have been especially important for indigenous representatives.

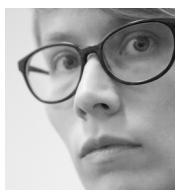
² TRWN (2016) We need to talk about conflict and the environment: <http://www.trwn.org/blog-we-need-to-talk-about-conflict-and-the-environment/>



Meaningful participation of all stakeholders is essential to the success of UNEA. In order to achieve this, the diversity of actors needs to be systemically taken into account and catered for throughout the process. Respecting the Major Group structure is essential when distributing speaking slots and seating. If nine Major Groups, that include actors from industry to indigenous peoples, have to deliver common statements that will be heard at the very end of the session, their message will surely be compromised and less powerful. Access to negotiations and information has to be guaranteed even when time and space is scarce. In this regard, it was highly disappointing that the creation of a satisfactory Stakeholder Engagement Policy (SEP) at UNEA-2 failed again. In the run-up to the third assembly, it is extremely important that the process for the creation of a new SEP will be transparent and inclusive.

In view of the fact that many organizations are not able to be physically present in Nairobi for UNEA or in the preparatory meetings, more emphasis should be placed on regional consultations, including financial support for participation and web-based solutions. As part of this, the role of Regional Representatives could be further developed – perhaps it would benefit from a more open and thorough election process that would also guarantee the commitment of the representatives' background organizations.

Finally, there is still room for critical self-reflection of Major Groups on how they can raise the level and relevance of participation to UNEAs, and on how to communicate more efficiently about them – both between and during the assemblies. Given the current climate of multilateral relations and the manifest lack of goodwill of some states during UNEA-2, the situation next year is not likely to be easy. This means that in order to make a change, Civil Society actors will need all the strength they can gain from the best possible coordination of efforts.



Veera Vehkasalo works as the Advocacy Coordinator of the United Nations Association of Finland (UNA Finland). UNA Finland is an NGO that promotes and supports the principles and actions of the United Nations, provides education and educational material regarding global responsibility and advocacy work, delivers and produces news items relating to the UN and influences Finnish UN policy. Previously Vehkasalo worked in the field of Media and Communications, specializing on Sustainable Development, International Politics and Human Rights. She has a degree in Social Sciences from the University of Helsinki, with a major in Cultural Anthropology.

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4. James Donovan, ADEC Innovations

Partnerships between UN Environment, through UNEA, and the private sector serve as a driving mechanism to develop innovative approaches toward sustainable development. Profitability is no longer the sole core of business operation as the private sector has progressively recognized the significance of integrating social and environmental development into the business structure.

Global multi-stakeholder partnerships will serve as a driving mechanism to develop innovative approaches toward sustainable development. This approach takes into consideration the significant policy making experience of the government sector; the extensive capacity building experience vis-à-vis sustainable development of the multi-lateral organizations such as UN Environment; and the private sector's key role in the achievement of the 2030 Agenda through financing mechanisms and technology.

The private sector can offer significant contribution to UNEA as a global collaborating platform to address environmental challenges, through technology and innovation. The private sector can bridge the gap between environmental standards, policies and



regulations and actual compliance, practice and implementation. Businesses can provide affordable technology solutions that are scalable and can be disseminated worldwide.

UN Environment can leverage this partnership and allow the private sector to introduce disruptive innovation that will address critical problem areas of the SDGs, such as the overarching issues on water, health, climate change and poverty, among others.

Relative to this, the Major Group and Stakeholders (MGS) of UNEA should be able to provide opportunities for more effective private sector participation and collaboration, by setting standards and monitoring the progress of the private sector, in responding to the 2030 Agenda.

The MGS shall encourage a multi-participatory approach for social investment without compromising the environment. UNEA, through the MGS, should be the venue for better engagements and dialogue between UN Environment and private sector, creating realistic opportunities for the latter to implement organized technological disruption that shall address challenges on sustainable development.



Mr. James Donovan is an entrepreneur focused on impact investing that generates measurable social and environmental impact alongside financial return. He has invested in the areas of sustainability, health information, education, data management and technology services. He leads ADEC Innovations, a corporate group that redefines and delivers innovative Environmental, Social and Governance (ESG) solutions. Integrating Big Data expertise into ESG solutions, his companies have developed some of the most advanced applications that promote ethical and sustainable practices in the corporate world.

5. Tom Jacob, T. R. Jacob and Associates

UNEA's creation as a universal entity in 2012 recognized UN Environment as the steward of environment in our quest for sustainable development; and it recognized that all nations have a responsibility in advancing the environmental dimension of sustainability. To meet that mandate, though, UNEA and UN Environment must make more effective use of Business & Industry engagement. To do so, UN Environment's Major Group process should be modified to recognize Business & Industry as distinct from Civil Society, and accord each a full voice in helping to shape both UNEA and UN Environment to a more sustainable development agenda.

UNEA-2 was very externally focused, with much attention directed at advancing the environmental dimension among both national governments and intergovernmental agencies. The mindset was clearly meant to take advantage of sustainable development's mandates, compelling the development community, in particular, to take into account environment as they advance their agendas.

But seemingly lost in UNEA-2 was the equally compelling mandate that UN Environment and the national environment ministries should integrate the economic and social dimensions of sustainable development into their plans, policies and programs more. Societies around the globe, have accorded Business & Industry custodianship of major elements of the economic dimension of sustainability. They will increasingly be holding industry accountable for delivering goods and services in a way that is not only economically viable, but is at the same time more directly responsive to the social and environmental dimensions of its activities. That argues for integrating business more fully and more directly as the nations address the challenges of sustainability through UN Environment.

The challenge of fully integrating all three dimensions of sustainability has been aided enormously by defining a common global agenda, with adoption of the Sustainable



Development Goals and Targets. But to advance toward that vision, there are three categories of major societal actors that must play a role. Certainly the Governments have the central role and will be held accountable for progress toward the SDGs. Among Major Groups, Business & Industry will also be held accountable for delivering progress. Civil Society's role of addressing, catalyzing and monitoring actions of both governments and industry is distinctly different. As UNEA and UN Environment evaluate the Major Group process, these very different roles and accountability should be taken into account.

Importantly, Business & Industry is also increasingly recognized as a critical agent of necessary change. The Financing for Development outcome last year in Addis Ababa for the first time recognized the huge role Business is already playing fostering development. It is the biggest engine of poverty reduction and economic growth in the developing world - on average providing 60% of GDP, 80% of capital flows and 90% of jobs in developing countries. And it will be a major source of the US\$1 trillion a year needed to advance sustainable development.

It is clear that national governments want and expect to interact directly with business in taking on these global challenges. That should extend to UNEA and UN Environment, as well. With that central role in development, the private sector in all its forms – farms, small and medium enterprises, family-owned companies, national firms, and multinationals - can make a major contribution to UN Environment's mission and foster environmental stewardship around the world. To both further its accountability and to take advantage of its role in enabling development, Business & Industry must be a voice that UNEA and UN Environment hear more directly and more consistently.

Governments alone cannot achieve the ambitious Targets of the 2030 Agenda for Sustainable Development. An enhanced role for business, with a distinct voice to be heard along with Civil Society, is important to both UN Environment and UNEA in reaching those Targets and Goals.



Thomas R. Jacob is the Principal of the firm T. R. Jacob & Associates. He has represented the American Chemistry Council and a larger suite of industry interests in both UNEA-1 and UNEA-2 and numerous UN Environment Governing Council meetings prior to UNEA, as well as Rio +20 and its subsequent SDG process. He represented The DuPont Company and its various industry sectors for many years in numerous international processes, including the Johannesburg World Summit and UN CSD, the Framework Convention on Climate Change, and the Convention on Biological Diversity, as well as the WTO and its Committee on Trade & Environment. Within UN Environment, Tom served on the Advisory Committee on International Environmental Governance, as well as various advisory groups within UN Environment Chemicals. Tom resides in his home-state of California, in the US, where he is also involved with California regulatory and legislative matters on behalf of the Chemical Industry Council of California.

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